

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME MS Department of Wildlife, Fisheries, and Parks		CONTACT PERSON Annette Clark or Doug Mann	TELEPHONE NUMBER 601-432-2020	
ADDRESS 1505 Eastover Drive		CITY JACKSON	STATE MS	ZIP 39211
EMAIL annettec@mdwfp.state.ms.us dougmm@mdwfp.state.ms.us	SUBMIT DATE 07/16/14	Name or number of rule(s): 40 Miss. Admin. Code Part 6, TEMPORARY COMPILATION : State Park Rules and Regulations		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Corrections and revisions to rules and slight fee increase.

Specific legal authority authorizing the promulgation of rule: 49-1-29; 49-4-4; 55-3-33

List all rules repealed, amended, or suspended by the proposed rule: 40 Miss. Admin. Code Part 6, Compilation

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: ____ Time: ____ Place: ____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.


ECONOMIC IMPACT STATEMENT:

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input checked="" type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in ____ days Effective date: <input checked="" type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): ____	Action proposed: <input type="checkbox"/> New rule(s) <input type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): ____	Date Proposed Rule Filed: ____ Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): ____

Printed name and Title of person authorized to file rules: W. Douglas Mann, Jr. SAAG

Signature of person authorized to file rules: *W. Douglas Mann Jr.*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
 <p>Accepted for filing by #20650 <i>[Signature]</i></p>	<p>Accepted for filing by</p>	<p>Accepted for filing by</p>

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMAN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME MS Dept of Wildlife, Fisheries, and Parks	CONTACT PERSON Annette Clark or Doug Mann	TELEPHONE NUMBER 601-432-2400
ADDRESS 1505 Eastover Drive	CITY Jackson	STATE MS
EMAIL annettec@mdwfp.state.ms.us doug@mdwfp.state.ms.us	ZIP 39211	DESCRIPTIVE TITLE OF PROPOSED RULE 40 Miss. Admin. Code Pt.6, Compilation: State Parks Rules, Regulations and Fees
Specific Legal Authority Authorizing the promulgation of Rule: 49-1-29; 49-4-4; 55-3-33	Reference to Rules repealed, amended or suspended by the Proposed Rule: 40 Miss. Admin. Code Pt.6: State Park Rules and Regulations	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

It has been over ten (10) years since the State Parks have increased any entry or amusement fees. However, these fees are subject to MS Sales Tax. The parks have been paying the sales tax on these fees from the amounts collected. In order to increase the amount of revenue generated to the state parks (special funds) and to the state general fund (sales tax revenue) the parks are increasing the fees to pass along the sales tax to the park users. In order to avoid having to keep large amounts of cash on hand, to make change, the fees have been increased so that after adding sales tax, the total amount is a whole dollar amount – thus reducing the parks' liability for maintaining large on-site cash reserves and increased costs in manpower, security and fidelity bonds for cash-handling employees.

2. Briefly describe the need for the proposed rule:

As stated, above, there has not been a significant increase in fees in ten years, while other costs have been constantly rising. The proposed increase will increase park revenues and sales tax revenues.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

There will be virtually no impact upon the public health, safety and/or welfare.

4. Estimated Cost of implementing proposed action:

a. To the agency

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

b. To other state or local government entities

☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

c. Cost:

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

d. Economic Benefit:

☐ Nothing ☐ Minimal ☒ Moderate ☐ Substantial ☐ Excessive

6. Estimated impact on small businesses:

☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

a. Estimate of the number of small businesses subject to the proposed regulation: N/A

b. Projected costs for small businesses to comply: N/A

c. Statement of probable effect on impacted small businesses: N/A

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☒ minimally less than
☐ the same as ☐ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☐ minimally more than ☒ moderately more than
☐ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.

Staff calculated the lowest base price increase which, when 7% sales tax was added as a surcharge, would yield a whole dollar price increase as close to the base price as possible.

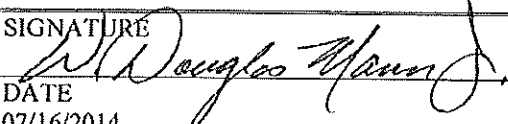
D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled?

Interested parties may contact Paul Collins, Director of Parks Operations at 601-432-2400, or go to the agency's website contact page at:

<http://www.mdwfp.com/applications/ContactForm/default.aspx>

Be sure to select "Parks" under the "Divisions" heading.

SIGNATURE	TITLE
	Special Assistant Attorney General
DATE	PROPOSED EFFECTIVE DATE OF RULE
07/16/2014	Upon filing